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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,996	03/13/2001	Hiroyuki Sekihata	1095.1170/JDH	9371
21171	7590	07/12/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER CHANDLER, SARA M	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 07/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/803,996

Applicant(s)

SEKIHATA ET AL.

Examiner

Sara Chandler

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 6-10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6-10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's arguments and request for reconsideration of application 09/803,996 (03/13/01) filed on 05/07/07.

Please note the Examiner has changed. The Examiner for this case is now Sara Chandler.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 6-10 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epixtech website, 8/24/2000,

<http://web.archive.org/web/20000229101319/http://www.epixtech.com/>. (hereinafter

Epixtech) in view of

"How the virtual library transforms interlibrary loans- the OhioLINK experience," by
David F. Kohl. Interlending & Document Supply. Bradford: 1998. Vol. 26, Iss. 2.

(hereinafter Kohl) and

"The Washington Research Library Consortium: A real organization for a virtual library,"
by Lizanne Payne. Information Technology and Libraries. Chicago: Mar 1998. Vol.
17, Iss. 1. (hereinafter Payne).

Re Claim 1: Epixtech discloses a book management apparatus for managing
book stocks of a plurality of individual libraries through a network, comprising:
book stock information management means for managing book stock information which
is information about book stocks of individual libraries (see e.g., Dynix Features -
personal bibliographies);
bibliographic information management means for managing bibliographic information
comprising attributes of books managed by said book stock information management
means (see e.g., Dynix Features - personal bibliographies);
loan information management means for managing loan information about a loan of the
book stocks of the individual libraries (see e.g., circulation features of Dynix, Horizon);
ordering information management means for managing ordering information on books
newly ordered from the individual libraries (e.g., Dynix Technical Services - Acquisitions
and Electronic Ordering; Horizon Technical Services - Acquisitions - serial links)(it is
noted that this is shown on p. 2 of the Horizon printout which is out of order and is the

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last page of the document).;

ordering means for placing an order with a book wholesaler, based on the ordering information managed by the ordering information management means (e.g., Dynix Technical Services - Acquisitions and Electronic Ordering; Horizon Technical Services - Acquisitions - serial links)(it is noted that this is shown on p. 2 of the Horizon printout which is out of order and is the last page of the document).;

loan reserving means for registering a book in said book stock information management means as a loan reserved book when a request for loan reserving is entered (e.g., Dynix Technical Services - Acquisitions and Electronic Ordering; Horizon Technical Services - Acquisitions - serial links)(it is noted that this is shown on p. 2 of the Horizon printout which is out of order and is the last page of the document). It further shows that the loan information management means enable a library to modify the loan information of another library since it checks books in and out on interlibrary loan and enters their status and since all data lending and borrowing information are maintained in a single database (see e.g., press release~p.2, 1st par., Dynix and Horizon), and wherein, when a loan of a book is conducted between different libraries, said loan information management means enables a predetermined library to modify the loan information of another library (e.g., Dynix Technical Services - Acquisitions and Electronic Ordering; Horizon Technical Services - Acquisitions - serial links)(it is noted that this is shown on p. 2 of the Horizon printout which is out of order and is the last page of the document). It further shows that the loan information management means enable a library to modify the loan information of another library since it checks books in

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and out on interlibrary loan and enters their status and since all data lending and borrowing information are maintained in a single database (see e.g., press release~p.2, 1st par., Dynix and Horizon).

Epixtech fails to explicitly disclose:

collation information receiving means for generating collation information when a book ordered by the ordering means has been previously ordered by another individual library, said collation information including information identifying each individual library that has ordered the books;

collation information transmitting means for transmitting the collation information generated by the collation information receiving means to the wholesaler; and wherein said book stock information management means registers an information whether the book is collated or not to said book stock information based on said ordering information and said collation information, and

said loan reserving means registers a book in said book stock information management means as a loan reserved and unavailable book when the requested book is not yet delivered.

Kohl discloses:

collation information receiving means for generating collation information when a book ordered by the ordering means has been previously ordered by another individual library, said collation information including information identifying each individual library that has ordered the books (Kohl, pgs. 1-5, particularly 3-4);

collation information transmitting means for transmitting the collation information

generated by the collation information receiving means to the wholesaler (Kohl, pgs. 1-5, particularly 3-4); and wherein

said book stock information management means registers an information whether the book is collated or not to said book stock information based on said ordering information and said collation information (Kohl, pgs. 1-5, particularly 3-4).

It would have been obvious to one of ordinary skill in the art to further modify Epixtech by adding the elements of Kohl in order streamline the ordering process and to track and close out the fulfillment process. As Kohl suggests, it would reduce unnecessary duplication, provide cost savings, and thus allow for the overall expansion of the networks collection coverage.

Payne discloses:

wherein, said loan reserving means registers a book in said book stock information management means as a loan reserved and unavailable book when the requested book is not yet delivered (Payne, pgs. 1-6, particularly pgs. 1-2). It would have been obvious to one of ordinary skill in the art to further modify Epixtech and Kohl by adopting the teachings of Payne in order to allow patrons to browse information about upcoming titles and receive them soon after they come out.

Re Claim 6: Epixtech in view of Kohl and Payne discloses the claimed invention supra and Payne further discloses wherein said ordering means places an order at a price reduced in accordance with an order quantity (Payne, pgs. 1-6, particularly pgs. 1-2).

Alternatively, the examiner takes official notice that it is notoriously old and well known

in the art to place an order at a price reduced in accordance with an order quantity. It would have been obvious to one of ordinary skill in the art to further modify the apparatus of Epixtech in view of Kohl and Payne by placing an order at a reduced price based on quantity in order to save money.

Re Claim 8: Epixtech in view of Kohl and Payne discloses the claimed invention supra and Epixtech further discloses:

statistical information generating means for looking up the loan information managed by said loan information management means or the ordering information managed by said ordering information management means, to generate statistical information about loan or ordering of books (e.g., Resource Sharing System, 5th paragraph; Executive Information System); and

providing means for providing the statistical information generated by said statistical information generating means to the individual libraries (e.g., Resource Sharing System, 5th paragraph; Executive Information System).

Re Claim 9: Epixtech in view of Kohl and Payne discloses the claimed invention supra and Epixtech further discloses:

request receiving means for receiving a request from a user (see e.g., press release~p.1, 5th par., Dynix- Patron Self Services, Horizon, Resource Sharing System-Patron Satisfaction);

searching means, responsive to reception of a request for search for a book by said request receiving means, for searching the book stock information for information about a matching book (see e.g., press release~p.1, 5th par., Dynix- Patron Self Services,

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Horizon, Resource Sharing System- Patron Satisfaction); and

search result transmitting means for transmitting a result of search by said searching

means to the user from whom the request has been received (see e.g., press

release~p.1, 5th par., Dynix- Patron Self Services, Horizon, Resource Sharing System-

Patron Satisfaction).

Re Claim 10: Epixtech in view of Kohl and Payne discloses the claimed invention supra but fails to explicitly disclose:

keyword registration means for registering a predetermined keyword if book stock

information matching the book was not found by said searching means; and

newly registered information transmitting means, responsive to new registration into the

book stock information of a book matching the keyword registered by said keyword

registration means, for transmitting the newly registered information about the book to a

user with respect to whom the keyword has been registered. However, the examiner

takes official notice that it is notoriously old and well known in the art to register a SDI

keyword and receive information when a new book corresponding to that keyword is

registered. It would have been obvious to one of ordinary skill in the art to do so in order

to provide the user with relevant information automatically, saving labor.

Re Claim 13: Epixtech discloses a method of managing book stocks of a plurality of individual libraries through a network, comprising:

managing book stock information and biographic information about book stocks of

individual libraries (see e.g., Dynix Features - personal bibliographies);

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managing loan information about loans of the individual libraries (see e.g., circulation features of Dynix, Horizon); and

managing orders of new books received from the individual libraries(e.g., Dynix

Technical Services - Acquisitions and Electronic Ordering; Horizon Technical Services -

Acquisitions - serial links)(it is noted that this is shown on p. 2 of the Horizon printout

which is out of order and is the last page of the document).

Epixtech fails to explicitly disclose:

wherein collation information is generated when a new book ordered by one individual

library has been previously ordered by another individual library, said collation

information including information identifying each individual library that has ordered the

book; and

ordering new books to wholesalers using the collation information at a price reduced in

accordance with an order quantity.

Kohl discloses:

wherein collation information is generated when a new book ordered by one individual

library has been previously ordered by another individual library, said collation

information including information identifying each individual library that has ordered the

book (Kohl, pgs. 1-5, particularly 3-4). It would have been obvious to one of ordinary

skill in the art to further modify Epixtech by adding the elements of Kohl in order

streamline the ordering process and to track and close out the fulfillment process. As

Kohl suggests, it would reduce unnecessary duplication, provide cost savings, and thus

allow for the overall expansion of the networks collection coverage.

Payne discloses:

ordering new books to wholesalers using the collation information at a price reduced in accordance with an order quantity (Payne, pgs. 1-6, particularly pgs. 1-2). It would have been obvious to one of ordinary skill in the art to further modify Epixtech and Kohl by adopting the teachings of Payne. As suggested by Payne libraries are motivated to save money by working to together in negotiations, acquisitions and the sharing of resources.

Alternatively, the examiner takes official notice that it is notoriously old and well known in the art to place an order at a price reduced in accordance with an order quantity. It would have been obvious to one of ordinary skill in the art to further modify the apparatus of Epixtech in view of Kohl and Payne by placing an order at a reduced price based on quantity in order to save money.

Claim 12 contains features or limitations recited in claim 1 and is rejected under the same rationale.

Claim 14 contains features or limitations recited in claims 1 and 6 and is rejected under the same rationale.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Epixtech in view of Kohl and Payne as applied to claim 1 above, and further in view of Rubin US Pat. No. 6,078,897.

Epixtech in view of Kohl and Payne discloses the claimed invention supra but fails to explicitly disclose a reduced price estimating means for looking up the ordering

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information managed by said ordering information management means, to estimate a reduced price of a book which a library is going to order. Rubin discloses a reduced price estimating means for looking up the ordering information managed by said ordering information management means, to estimate a reduced price of a book which a library is going to order (Rubin, Figs, 2-3, abstract, col. 1, line 44+ - col. 2, line 46, col. 3, line 16+ - col. 5, line 25; col. 6, line 13+ - col. 8, line 47; col. 9, lines 1-12). It would have been obvious to one of ordinary skill in the art to further modify Epixtech, Kohl and Payne by using the discount estimator of Rubin et al in order more easily facilitate the use of volume discounts.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

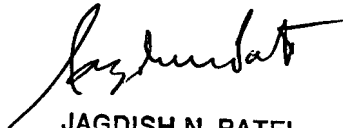
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Chandler whose telephone number is 571-272-1186. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMC



JAGDISH N. PATEL
PRIMARY EXAMINER